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Attorney Docket No. GC791-3-US
Serial No. 10/798,549

REMARKS

In response to the Office Action of January 24, 2007, claims 13-17 have been cancelled. Claims 18-23 have been added. Claims 1 and 11 have been amended to correct minor informalities. No new matter has been added herewith. As a result of the amendments, claims 1-12 and 18-23 are presented for further examination.

The specification was amended to remove hyperlinks and to correct typographical errors. Support for the amendments to the paragraph on page 23 can be found in the paragraph on page 20.

Support for new claims 18-23 can be found in the specification and claims as filed. For example, support for claim 18 can be found on at least page 4, lines 26 and 27 of the specification; and page 34, lines 7-24. Support for claim 19 can be found in at least original claim 14 and on page 35, lines 1-8 of the specification. Support for claim 20 can be found in at least original claim 15. Support for claim 21 can be found in at least original claim 17 and on page 34, lines 19-25 of the specification. Support for claims 22-23 can be found in the specification at least at page 32, line 14 through page 33, line 11 and in Table 1 on page 33.

Objection to IDS.

A corrected form 1449 is enclosed herewith containing the publication date for Shetty et al. Please enter and make the IDS of record.

Rejection under 35 USC §112, second paragraph

Claims 1-17 were rejected as indefinite because of the term "derived from." As suggested by the examiner, Claims 1 and 11 have been amended to read "obtained from," thus, rendering the claims definite.

Rejection under 35 USC §102(b)

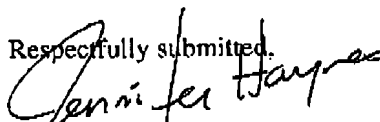
Claims 13-17 were rejected under 35 USC §102(b) as anticipated by Kohmoto et al. (Bifidobacteria Microflora 7(2), 61-69 (1988)). While Applicants do not acquiesce to the rejections, claims 13-17 have been cancelled, rendering the rejection moot. However, Applicants reserve the right to pursue these claims in a Continuation application.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the number listed below.

Respectfully submitted,



Date: April 24, 2007

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Encl. Form 1449 new page 4 and cover page of Shetty's paper

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